

STATE OF ALABAMA)
)
MONTGOMERY COUNTY)

AFFIDAVIT

BEFORE ME, the undersigned authority for said County and State, personally appeared **Sidney T. Williams**, who is known to me, and after being duly sworn, deposed and said as follows:

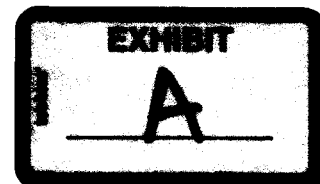
My name is **Sidney T. Williams**. I am currently employed as Chairman of the Alabama Board of Pardons and Paroles, where I preside over the Board's hearings conducted in open public meeting. In that capacity, among other duties, I am one of three regular board members who have the discretionary decision-making authority of whether or not to grant parole or deny parole during parole consideration hearings conducted in open public meetings. I also have the discretionary decision-making authority to reset a prisoner for further parole consideration in conjunction with the *Alabama Board of Pardons and Paroles Rules, Regulations, and Procedures (the "Rules")*.

I, individually, as Chairman of the Board, do not constitute the Board. There has to be at least two Board Members to constitute a quorum to transact the official business of the Board.

I have nothing to do with a prisoner's confinement conditions, whether good or bad, while incarcerated in the Alabama prison system.

I do not have legal custody of prisoners. Even when a prisoner has been granted parole and is out on parole, I still do not have legal custody of that prisoner.

I am not an employee of the Alabama Department of Corrections. The Alabama Board of Pardons and Paroles is a separate state agency.



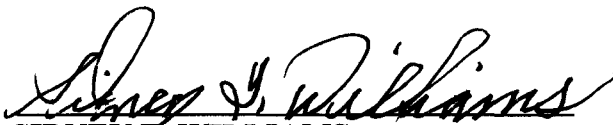
Among my many duties, I am charged with the duty of personally studying prisoners so as to determine their ultimate fitness to be paroled. I exercise my discretionary decision-making authority when deciding whether or not to grant or deny parole to prisoners.

I do not have the authority to let prisoners out of prison on the basis of prison overcrowding. I must be of the *opinion* that there is reasonable probability that a prisoner will live and remain at liberty without violating the law and that his release is not incompatible with the welfare of society.

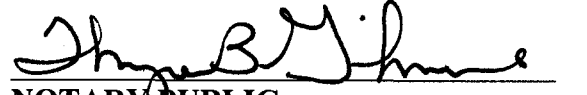
I deny violating Plaintiffs' Eighth Amendment rights against Cruel and Unusual Punishment. I have never had custody to violate Plaintiffs' Eighth Amendment rights.

My authority is listed in the Alabama parole statutes. Managing Alabama prisons is not listed in those statutes.

I deny violating *any* of Plaintiffs' constitutionally protected rights.


SIDNEY T. WILLIAMS
CHAIRMAN

SWORN TO AND SUBSCRIBED before me this 31st day of May 2006.


NOTARY PUBLIC
Commission Expires: 10/30/07